

**Tompkins County Legislature
April 6, 2010**

Approved April 20, 2010

Public Hearing – Hanshaw Road Reconstruction Project, PIN 3753.25, Towns of Ithaca and Dryden and Village of Cayuga Heights, Tompkins County

Ms. Robertson said the March 16th public hearing regarding the Hanshaw Road Construction Project had been adjourned to allow the submission of additional written comments on the project until 5:30 p.m. today. Comments have been received and will become part of the record. Chair Robertson declared the public hearing closed at 5:31 p.m.

Moment of Silence

Ms. Robertson asked Legislators to join in a moment of silence for former employee Les Griffin and former Town of Newfield Supervisor Charles Berggren.

Pledge of Allegiance to the Flag and Roll Call of Members

Members and guests participated in the Pledge of Allegiance to the Flag.

Present: 14 Legislators (Mr. Shinagawa was arrived at 5:44 p.m.). Excused: 1 (Legislator Dennis).

Ms. Robertson announced an executive session to discuss litigation would be held later this evening.

Privilege of the Floor by the Public

Bernie Hutchins, Jr., of Hanshaw Road, read the following statement:

“At the March 16, 2010, Public Hearing, just closed, but for which I have earlier submitted this text, Tina Mollenkamp, the ROW acquisition specialist from Hite Inc. began her presentation mentioning the overall process:

“ . . . “ The primary goal through the process is to negotiate a fair settlement with each property owner ”

“In closing her presentation, she said:

“ . . . “ the county will make every effort to acquire the property by negotiations. ”

“This sounds good, because the apposite portion of the Eminent Domain Procedures Law says:

“§ 301.Policy. The condemnor, at all stages prior to or subsequent to an acquisition by eminent domain of real property necessary for a proposed public project shall make every reasonable and expeditious effort to justly compensate persons for such real property by negotiation and agreement.

“So – is everyone happy? No – because in the middle of her presentation she said:

“ “ I'd like to stress one point. While we use the word 'negotiator', we in fact, work under what is called a 'one-offer system'. We are required by law to offer the full amount of the highest approved appraisal. So unless there are compelling reasons to raise the offer, we will stand by the one-offer amount. ”

“Now, that's a ludicrous contradiction. They wish to negotiate, but the offer is not negotiable. This is the same type of Kafkaesque farce that, at the Hearing, required us to defend our property, against unknown parameters.

“Who here thinks this is fair? Please speak up.

“Well, the opportunity of Legislators to speak follows mine, directly.

“It gets worse. Let me reread what she said:

“ . . . ” I'd like to stress one point. While we use the word 'negotiator', we in fact, work under what is called a 'one-offer system'. We are required by law to offer the full amount of the highest approved appraisal. So unless there are compelling reasons to raise the offer, we will stand by the one-offer amount. ” . . .

“It sounds as though she is saying the fixed offer is required by law. Once again, she says, “We are required by law to offer the full amount of the highest approved appraisal.”

“This is a true statement (Section 303 of the law). But she has juxtaposed this to an unrelated, independent sentence - a sentence she begins with the word “So”, thereby falsely suggesting a consequential relationship.

“So unless there are compelling reasons to raise the offer, we will stand by the one-offer amount.”

“There is no such law in play.

“This is, very likely, intentionally misleading.

“Hite speaks for you – for Tompkins County. Do you, the Legislature, tolerate this mistreatment of the citizen?

“When we enter this room, it says on the door “Board Room” apparently because this body was formerly the “Board of Representatives”.

“Now you are the Legislature, you tell us what to do, but no longer seem to represent us.

“It’s time to reverse this sad situation.

“Incidentally, a week ago, I informed R.K. Hite that I intended to present this matter at this time, in case they wished to reply.”

Privilege of the Floor by Municipal Officials

Town of Ithaca

Rich DePaolo, Town of Ithaca Board Member, provided the following updates on the Town’s planning initiatives and public work activities. Comprehensive Plan – the updates to the 1993 plan are proceeding, with the resident survey having been tabulated and analysis underway. Part of the Plan will be to look at areas for potential development. There will be a series of meetings with various neighborhood groups the last week in May and into June to allow further input.

- Agriculture – a survey of agricultural areas within the town will be used to determine how to utilize them within the Town.
- Marcellus Shale – a special committee is being formed to discuss the ramifications of gas drilling in Marcellus Shale. Mr. DePaolo expressed appreciation to the members of Tompkins County Council of Governments for the work they have done on this subject.
- Planning Department – John Kantor, Town Planner, will be retiring at the end of 2010. Miscellaneous planning items include West Hill development and the potential problems posed by a full-scale build-up of the area, how to supplement present data with emergency services, quality-of-life issues, etc. At the present time it is thought the study would take a Generic Environmental Impact Statement (GEIS) approach.
- Stream set-backs. – the initiative should be complete within the next two months following the final comments and drafting restrictions in certain upstream areas.
- Public Works – the department is looking at how to manage stormwater within the town and looking at piped drain versus ditches, etc. An area of particular concern is the Northeast portion of the Town.
- Invasive Species – the Town is working on whether to train a staff member in proper application for chemicals to ward off invasive species versus contracting with a specialist.

Mr. Shinagawa arrived at this time.

- Infrastructure – Mr. DePaolo said the Forest Home Traffic Calming Plan construction would begin this summer. He also announced the Town received a \$400,000 grant from NYSERDA for energy improvements in buildings.
- Sustainability- the Town is considering accepting a grant from the Park Foundation to fund a new sustainability planner position. This position would be a collaboration with Dryden. Details are being considered as the award is only for a two-year period.

Mr. Proto asked how the agriculture survey would be used. Mr. DePaolo said it was to satisfy a portion of the Town's Comprehensive Plan on how to prioritize agriculture within the Town. He recommended Mr. Proto contact the Planning Department for additional information.

Ms. Chock asked how the public meetings regarding development would occur. It was explained there would be ten meetings in May and June in various neighborhoods; it should provide input from all areas of the Town.

Mr. Stein suggested the topic of invasive species be addressed by Tompkins County Council of Governments (TCCOG), noting it is an issue for all municipalities. Ms. Chock noted TCCOG heard a presentation on the Emerald Ash Borer at the last meeting. Ms. Kiefer said Mark Whitmore who presented the information is an Environmental Management Council Associate Member. She said there are many invasive species to be considered. Mr. DePaolo said the topic came up at the Town due to concerns from Cornell University about the swallow-wort species proximity to their unique species. Formerly, the Town's position was not to use pesticides, however, the landscape has changed. Ms. Robertson agreed to add the topic to the TCCOG agenda for discussion.

City of Ithaca

Maria Coles, Common Council Member, expressed congratulations to the new members of the Legislature and made the following announcements:

- Greater Ithaca Activities Center would be re-opening this summer and a celebration will be held.
- Security within various City offices was put into place in response to the 2006 State mandate that all municipalities provide a secure workplace for employees. A committee was comprised of various department staff, City Attorney, and herself as the Common Council representative and a policy was written and approved in 2007. Within the process a consultant was hired to conduct an audit of city buildings and provide recommendations. Upon completion, many of the recommendations were easily addressed, however, both City Hall and the Greater Ithaca Activities Center required additional work to ensure employee safety. Mitigation in these areas included restriction of entry, appropriate lighting, cameras, etc., and the non-expensive recommendations were completed. Presently a discussion on the continued funding for this project is underway and a review of staff was conducted. Sixty percent of staff are pleased with the changes made to improve security. Ms. Coles said in light of the current tension relating to municipal officials' decisions and the attacks taking place it is necessary to ensure employees are in a safe working environment.
- Dredging of the Cayuga Inlet is a project the City is undertaking to remove sediment in the flood control channels. She reported that at present sixty percent of the channels are filled with silt, which increases potential flooding by ten percent. The City received several million dollars to use for the project and is working with the US Army Corps of Engineers, New York State Department of Environmental Conservation, and the Canal Corporation. One item of concern is where to put the sediment (up to 470,000 cubic yards), which would require up to twenty acres of land. The City hired an analyst who has determined the sediment could be used for topsoil. At

the present time the City is determining what is the best location to place sediment. It was also noted that Cayuga Inlet has the highest concentration of boat traffic in the country.

Mr. Proto asked if the silt dam for the City Water system would have periodic cleaning. Ms. Coles said it is not part of the dredging issue.

In response to Mr. Proto's question about the status of the City's Smoking Policy, Ms. Coles said it will be addressed at the April 7th Common Council Meeting. The plan calls for a good deal of the Commons to be designated as smoke-free.

Ms. Herrera said she has had constituents inquire whether the dredging spoils would be placed on the City Golf Course. Ms. Coles said it is an option but is not popular. The project would be for ten years; she believes the Southwest area is the preferred location for the spoils. The dried sediment could be used to assist in development in that area, perhaps for a berm.

In response to Mrs. McBean-Clairborne's question, it was noted there will be additional public hearings on the Commons redesign including April 13th in the Borg Warner Room of the Public Library.

Ms. Kiefer spoke about the City's position that flooding would be caused by the level of sediment, however, the Environmental Management Council does not believe that is accurate. She said it was reported the Canal Corporation would not pay for the additional cost to transport the sediment to the Southwest location and asked what the additional cost would be. Ms. Coles did not have that information at this time. She noted the City's stance regarding flooding due to sediment levels is from information from State authorities indicating the dredging would alleviate flooding.

It was announced that the start time for Common Council meetings will be changing to 6 p.m. in May.

Distinguished Youth Award

Mr. Proto presented Meredith Lawhead of Ithaca with the March 2010 Tompkins County Distinguished Youth Award. She was nominated by her mother, Heather Swift, for her "profound love for her community through her perpetual and continual volunteer service...using her time and talents in numerous ways." Highlights from Meredith's community service in 2009 include: Learning Web summer volunteer program; DeWitt Middle School mentor to incoming sixth graders; DeWitt Middle School food pantry collection; Alternative Gift Fair volunteer; ongoing service with the Cancer Resource Center of the Finger Lakes; Greenstar Cooperative Market; Ithaca Dragon Boat Club; Finger Lakes International Dragon Boat Festival; Salvation Army bell ringer; member of the National Junior Honor Society and DeWitt Middle School honor roll. Meredith is also praised for loving care of her mother, family, and home after her mother's recent spinal surgery and "countless acts of service that are never recognized."

Privilege of the Floor by Legislators

Ms. Kiefer, District No. 10 Legislator, announced that James Hanson, who is the head of NASA, would be giving a lecture on April 19th regarding Climate Change. She then announced the Cornell University Veterinary School Incinerator will be permanently shut down by the end of April 7th.

Mrs. McBean-Clairborne, District No. 2 Legislator, expressed congratulations to Ms. Lawhead who formerly was a resident within her district. She announced the Ithaca Downtown Association will present its 2010 district plan at their annual meeting on April 12th at the Borg Warner Room of the Library.

Ms. Pryor, District No. 6 Legislator, offered her congratulations to Ms. Lawhead. She then congratulated the Lansing Middle School Fifth Grade Thinking Cap Quiz Bowl Team for their first place in the Northeast Region Thinking Bowl Competition. Fourteen students participated answering questions in the area of math, geography, government, sports, spelling, science, literature, English, history, general information, and fun trivia.

Mr. Stein, District No. 11 Legislator, responded to Mr. Hutchins comments under privilege of the floor and noted the paragraphs cited were confusing and perhaps it would be beneficial to have the right-of-way process more clearly defined. Ms. Robertson said Mr. Lampman would be making a report to the Facilities and Infrastructure Committee on the comments received. Ms. Kiefer said the language the consultant had provided is standard wording.

Mr. Lane, District No. 14 Legislator, spoke of attending a panel discussion regarding the trouble in the New York State Senate. He said a variety of individuals spoke of the problems and he feels it is important for residents to learn how the State Legislature works to bring about an awareness of the changes required. Mr. Lane announced the Annual Fireworks Show will be taking place at the Tompkins Cortland Community College. He is glad to see it continue and hopes there will be good attendance and hopes that TCAT transportation to the event would be considered.

Ms. Mackesey, District No. 1 Legislator, said work is continuing on the State Legislation to restrict heavy truck traffic on local roads. At this time information is being reviewed by the New York State Department of Transportation. There are many trucking industry representatives stating displeasure at the proposal. She will be attending a Governor's Task Force on Regulations on April 12th and will provide an update at that time.

Mr. Proto, District No. 7 Legislator, congratulated the Cornell University sports teams and noted their banquet was taking place this afternoon. He announced that the recognition for Vietnam Veterans this year is extended to include women in service.

Mr. Robison, District No. 9 Legislator, attended a presentation at the Groton High School sponsored by the Tompkins County Youth Services regarding Adolescent Brain Development. He said it incorporated the voting tools presented by Youth Services to the Legislature several months ago and will also be presented to other area schools. He urged parents to attend the lecture; it provides an insight as to why adolescents act and respond in the manner they do. He commended the Youth Services Department and all involved for the development of the lecture.

Mr. Burbank, District No. 12 Legislator, spoke of having attended the departmental orientations offered, stating it is a very positive experience to see how each department operates and thanked Ms. Younger for coordinating the schedules. On April 7th there will be an orientation at the departments housed in the Pubic Works facility on Bostwick Road.

Presentation by the Emergency Response Department

Mr. Shurtleff, Director of Assessment, provided a presentation to the Legislature concerning the operations provided by the Emergency Response Department. The Department employs 27.5 FTE, down 1.5 FTE from several years ago. Information on the number and types of calls his department dispatches were given and it was noted that the number of 911 calls has decreased. He attributes the reduction to the new communication systems allowing emergency responders to speak directly to one another; previously it was necessary to communicate through telephones. The increase in Emergency Management Services is thought to be partly due to the increased age of the population. Mr. Shurtleff said the department has achieved many accomplishments over the past seven years—including the County's new Public Safety

Communications System and centralized dispatch through a new Emergency Response Center. Annual telephone volume last year was nearly 194,000, an average of 531 calls per day.

Mr. Lane spoke of attending a meeting last week held at Tompkins Cortland Community College where Mr. Shurtleff and Ms. Nelson spoke of the importance of emergency management and the work done on emergency planning. She noted there had been a great deal of interest when the flood occurred in 1981, when no planning and support had been completed. The type of planning that is going on is helpful and needs to be kept up-to-date.

In response to Mr. Stein's question on the reduced number of calls, Mr. Shurtleff said the former communication system had dead spots and required land-line calls; this has now been eliminated and radio contact is available county-wide.

Ms. Chock asked if it is possible to categorize calls to the center. Mr. Shurtleff said prior to 2005 there was not a complete dispatch center. The overall calls started to decrease, however actual incidents requiring dispatch continues to increase two to three percent annually. It would be possible to obtain a sampling.

Mr. Burbank spoke of his visit to the Emergency Response Center including the secure area where the 911 operators work; they were able to calmly get the information and locate areas of calls. He said the County is very fortunate to have a system that works so well.

Mr. Proto asked if there would be an analysis of the types of calls received to determine other areas that may require attention. Mr. Shurtleff said it would require additional questions to determine the extent of an emergency and what equipment must be sent. Beth Harrington in his office reviews calls and is providing further analysis that will be taken to other agencies.

Chair's Report

Ms. Robertson announced the retreat planning group will meet on April 7th at 5:00 p.m. She placed copies of a written statement she prepared to send to the Environmental Protection Agency regarding the study of hydrofracking in Legislators folders. This document indicates the County is an interested stakeholder and she would like to have agreement by as many Legislators as possible.

Report from the Deputy County Administrator

Ms. Younger reported she had sent an e-mail indicating changes to the department orientation schedule. She announced that on March 26th the formal response to the Google Ultra High-Speed Broadband Technology request was sent. She thanked members of Tompkins County Council of Governments, Cornell University professors and staff, Deb Grantham, and Ken Schlather for assistance with this response.

In response to Ms. Mackesey's question regarding letters of support, Ms. Younger said she has a handout for Legislators with an address to the web blog providing the opportunity to submit letters of support. She also noted that Google has a comment section on their site as well. She further clarified the entire document was an online application and no hard copy is available.

Mr. Lane thanked Ms. Younger for her efforts regarding the response and said the application process brought together many talented people.

Report from the County Administrator

Mr. Mareane thanked everyone for participating in the retreat and the work involved to help make quality decisions. Over the next several weeks a model for the budget will be prepared. He then reported on his meetings in Albany relating to the Health Care Consortium financials, specifically what the required reserves should be. The State Insurance Department has indicated reserves need to be at a higher level than the Consortium believes is necessary. Discussions included suggestions of how the municipalities could satisfy the reserve requirement, without a large outlay of cash, through surety bonding. He is hopeful that there will be closure to the financial aspect, leaving only the labor representation question to be resolved.

Ms. Robertson and Mr. Mareane expressed appreciation to Mr. Barber, Chair of the Tompkins County Council of Governments for the time and effort he has put forth in this initiative.

Mr. Shinagawa asked if the County is required to have more of a reserve than private insurers. Mr. Mareane said Article 47 gives the appearance of private-insurer, requiring a twenty-five percent reserve; this has been negotiated to a seventeen percent reserve. Mr. Shinagawa said insurance companies lobbied for the larger reserve to reduce competition. Mr. Mareane pointed out that the County is breaking new ground, negotiating on the behalf of others in the State, and uncovering stumbling blocks.

Mr. Proto asked how the State budget delays would affect the County and agencies. Mr. Mareane said he will have to evaluate the affect to a certain level but will not have detail. Mr. Proto noted that the Human Services Coalition has said the longer the State budget approval process takes, the more agencies will experience difficulties.

Recess

Chair Robertson declared a recess at 7:30 p.m. The meeting reconvened at 7:39 p.m.

Report from the County Attorney

Mr. Wood requested an executive session later in the meeting to discuss litigation.

Report from the Finance Director

Mr. Squires provided Legislators with a listing of properties exposed to foreclosure, four of which are abandoned structures. He was surprised that unlike his previous experiences he has not had any response to his outreach. The auction on foreclosed properties will take place on June 15th.

Resolution(s) to be Added to the Agenda

There were no resolutions to add to the agenda.

Resolution(s) to be Withdrawn from the Agenda

Ms. Robertson granted permission to the appropriate committee chair to withdraw the resolution entitled "Authorization to Enter into an Agreement with the Greater Tompkins County Municipal Health Insurance Consortium for New York State Shared Municipal Services Program (ID # 1889)".

Approval of Resolution(s) Under the Consent Agenda

There were no resolutions under the Consent Agenda.

Approval of Appointment(s) Under the Consent Agenda

It was MOVED by Mr. Proto, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote by members present, to approve the following appointments under the Consent Agenda:

Air Service Board

Anthony W. Hopson – At-large representative; term expires December 31, 2011

Environmental Management Council

Eric Van Every – Town of Lansing representative; term expires December 31, 2010

Report from the Planning, Development, and Environmental Quality Committee

Ms. Mackesey, Chair, reported the Committee will meet April 7th.

Report from the 2010 Complete Count Census Committee

Ms. Mackesey, Chair, asked Legislators to take posters and informational material for distribution in their districts. April 1st was “Census Day”, with municipalities calling attention by handing out promotional material and providing information when necessary. At this time, census workers are making phone calls to Tompkins County residents, starting with individuals with post office boxes and continuing into the City of Ithaca. A special event, March to the Mailbox, will take place on April 10th outside of Collegetown Bagels in Collegetown. There will be a DJ, along with promotional tee shirts, caps, and other items. Ms. Mackesey said the county’s overall response rate to date stands at 65%, higher than both New York State and national participation rates. The village of Freeville has the highest rate, at 77%, and the Collegetown area of the City stands at 33%. The Census will send enumerators to Collegetown beginning April 24.

Ms. Herrera said the online participation map provides a great deal of interesting information. She noticed the downtown core has a low participation rate and asked what is being done to improve participation. Ms. Mackesey said the telephone calls are now being made within the City area and local agencies are also assisting in asking residents to complete and mail in the forms.

Mr. Lane said residents who use post office boxes would not receive the forms in the mail. Initially the Census Committee had been told they could not work with post offices, however, staff at a Question and Answer Center (QAC) started communicating with the local post offices who are willing to help by having census forms available.

Mr. Stein asked when the County would know what the final census count is. He was informed that it would most likely not happen until the end of the year.

Ms. Chock commended Ms. Mackesey for her leadership with the 2010 Census. She urged residents to complete and return their form by no later than April 16th and encouraged all municipalities to continue to stress how important the census information is to their residents.

Mrs. McBean-Clairborne said some African-Americans and members of other minority communities may be choosing not to fill out their forms as protest of race and ethnicity designations they find offensive. She said it is especially important that the traditionally undercounted populations fill out the forms and register any concerns in other ways, such as online sites like colorofchange.org. Ms. Herrera appreciated Mrs. McBean-Clairborne addressing this issue and said some individuals are writing in their preferred ethnicity in the box marked “Other”. She said the census forms are not current with diversity; the way to change it is by filling out the form and mailing it in.

In response to Mr. Burbank's questions, Ms. Mackesey said lost forms could be replaced by going to one of the "Be Counted" or QAC sites and that the participation rates shown on the online map are amended daily at 4:00 p.m.

Ms. Mackesey said Mr. Sutherland of Administration has been a valuable asset to her; he has been ingenious and inventive and has helped to overcome barriers when necessary.

Report from the Budget and Capital Committee

Ms. Luz Herrera, Vice Chair, did not have a report. The Committee will meet on April 12th at 3:30 p.m.

Report from the Public Safety Committee

Mr. Shinagawa, Chair, reported the Committee met April 5th and included a report on emergency plans related to hazards at older housing. An evaluation had taken place in 2003-2004 by the County and other municipalities. This study included flood, utility failures, and other areas including terrorist attacks. Ms. Buechel, Probation Director, spoke of Leandra's Law and the potential affects on the County. This law requires the installation of ignition-interlock systems on vehicles belonging to persons sentenced for any DWI offense. Although their license may be suspended, it is required to have the unit put on any vehicles they may own. The cost of each unit is \$1,200 and there are approximately 300 cases that would apply, many being indigent populations.

Mr. Shinagawa said Ms. Bodnar provided information on savings the Alternatives-to-Incarceration Program yielded through reduced jail days and costs associated with the program. The study estimates the three ATI programs' net cost to the county at just under \$250,000 (from 2004-September 2009 for the two drug courts and from June 2006-September 2009 for Day Reporting), coupled with estimated economic benefit of more than \$4.8 million from increased employment, education, and reduced public assistance resulting from participants in these programs. It also cites other positive outcomes for participants resulting from reduced substance abuse, outcomes that cannot be measured in dollar values such as individuals receiving their GED, pregnant women whose babies are not affected by a drug addiction. The evaluation also finds that costs of the Ithaca Community Treatment Court "decreased substantially" during the past three years, with a new judge overseeing the court and involvement of the current district attorney. Ms. Robertson noted that when Ms. Wilkinson became District Attorney and with Judge Rossiter sitting on the bench the costs have gone down and the benefits increased.

Ms. Chock asked if the study took into consideration extended-family cost savings. Mr. Shinagawa said it had not and it may be beneficial to review this area.

Mr. Stein said it is difficult to look at the total economic benefits, i.e., if a job had not been taken by an individual in the program it would have been taken by someone else. In addition, he noted Judge Rossiter said that participants in the programs would not have been making purchases or paying taxes; the program allows them to work and do this.

Mr. Stein said a limited question is to ask how much does it cost as a county government and the obligations we have to pay. He found it a complicated presentation that concludes drug court does not cost the County anything. The County would have had to pay for board-outs and counselors, making it almost a wash. He said if the Legislature were to decide not to have an Alternatives-to-Incarceration program it would not save the County anything. As noted by Mr. Shinagawa, if a participant does not take a job someone else would, which eliminates an additional benefit from the program; however, it is

difficult to say what a safe life is worth. Although it is worth something, it is difficult to put an actual figure to it.

Mr. Shinagawa said Ms. Bodnar's report included information from other government accountability reports on the success.

Mr. Proto asked if the question of recidivism was answered. Mr. Stein said the report only addressed the financial aspect. Mr. Proto then asked if the report showed how the Drug Court is funded, and Mr. Stein said it did not. It outlined the cost of running the Drug Court and that the cost to keep individuals out of jail was equal to that amount. Mr. Proto asked whether all issues he raised in the past have been explored, and requested the report be circulated to all Legislators. Ms. Robertson noted the Probation Department would be looking at recidivism in May or June.

Ms. Robertson said the Probation Department, Justice Center, and Judges are using Ms. Bodnar's report in considering how to improve the Alternatives-to-Incarceration programs and generated a number of ideas to enhance results. Two other areas that need to be evaluated are what happens to individuals leaving the county jail and the cost to build a new jail. The program has assisted in having a relatively low population in jail. The previous jail study indicated a cost of \$20 million to build a new jail 4-5 years ago, however, this amount does not include the expenses associated with increased staff. Mr. Stein said he believes the cost should not be compared solely to the building of a new jail, there is the option of boarding-out prisoners. Ms. Robertson said the annual cost for a \$20 million jail would equate to 52 board-outs each day for one year.

Mr. Robison said the report is not a final determination and the comparison would be ongoing.

Report from the Workforce Diversity and Inclusion Committee

Mrs. McBean-Clairborne, Chair, expressed appreciation for the time Ms. Bodnar put into the report. With regard to diversity and inclusion, she said it is interesting to see numbers in terms of race and socio-economic class and she is interested in the comments made regarding the drug court and why so many more white participants are successful. She said the response reflected the population of the County. Mrs. McBean-Clairborne said the population of the County does not necessarily reflect the population of the incarcerated and the population of the people who end up in the criminal justice system, they are very different. She said there is a great deal more work needed to assist those indigent and struggling to make ends meet. When the ignition interlock was discussed she shuddered that not only would individuals lose their license but be required to pay up to \$1,200 for the interlock system. She would like to see a study of the ethnicity, race, class, and socio-economic conditions of the individuals who would be required to pay under this law.

Mrs. McBean-Clairborne said the Budget and Capital Committee members received a workforce utilization report monthly and noted that of 744 employees in the County, 39 are [self] identified as minorities.

The next meeting of the Committee will be on April 28th. She announced an upcoming training series "A Business Case for Diversity" to be held on April 15, 2010, at TC3 Tioga Place. She hopes that what is being taught and encouraged is translated to how we do business in the County.

Mrs. McBean-Clairborne said the P&C grocery store on Hancock Street is closing on April 18th. This is a grocery store in a community surrounded by public housing who may not have transportation to get to grocery stores located in other areas. She stressed the need to advocate to keep a store in the area and encouraged Legislators to make their voices heard.

Report from the Health and Human Services Committee

Mr. Proto, Chair, reported the Committee will meet on April 14th. He said the Civil War Commission and County Historian are initiating a preliminary program to provide scholarships for nurses. The scholarships would tie to the history program of women serving in the war between the states. He said Tompkins Cortland Community College is one of the most successful in training nurses that serve throughout the country. Mr. Proto announced the rabies season has begun and that hikers should also follow protocol to protect themselves from deer ticks.

Mrs. McBean-Clairborne announced the process to interview a new Public Health Director has begun. In addition she announced Heather Swift, mother of the Distinguished Youth Award recipient, and Diane Bradac of Workforce NY are both being recognized as one of the "Twenty Women You Should Know" at the May 6th Women's Expo.

Report and Presentation of Resolution(s) from the Facilities and Infrastructure Committee

Ms. Kiefer, Chair, reported the Committee met on April 1st at the Ithaca Tompkins Regional Airport and heard a report on the Airport operations. This report will be given to the full Legislature on April 20th. The Committee was informed that Public Works Administrator, Cheryl Nelson, is retiring on April 10th after 35 years of service with the County. Ms. Nelson will return to the County on a part-time basis to assist with the transition of her duties.

The Highway Division presented a 2010 seasonal work plan and reported the cost of blacktop is up \$2 per ton within a month. The increase in asphalt is the result of current refinery process. The Governor's freeze on construction makes projects difficult to plan. There is \$2 million 2010 budget but less than \$1 million available. The Committee had a brief discussion regarding the Hanshaw Road reconstruction project, noting landowners felt it necessary to speak at the public hearing to retain their legal rights in the event of an eminent domain proceeding. She noted that not all property owners commented. The Committee was informed that the State would not accept the present design report as final for the Red Mill Bridge project, however, a simplified design may be acceptable as part of closing this project.

The Solid Waste Division provided their first presentation regarding the capital project to convert the Recycling and Solid Waste Center to single-stream recycling. Of the six proposals received it was determined five were considered. There will be a special meeting, in executive session to discuss the proposals and negotiations. All Legislators will be invited to attend. The Solid Waste Division will be partnering with Tompkins Trust Company for Earth Day, which will hold a "Shredding Day" at its East Hill Plaza location.

Ms. Kiefer announced there will be another Public Works open house on April 14th for those unable to make the tour on April 8th.

In response to Mr. Proto's question, Ms. Kiefer said the Governor's holding of construction funds is only the State portion of projects; Federally funded stimulus projects are continuing.

RESOLUTION NO. 49 - AUTHORIZING ACCEPTANCE OF SUPPLEMENTAL GRANT AGREEMENT (NO. 2 - SCHEDULES A-4, A-5 & A-6) TO THE MASTER AGREEMENT FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) FOR PROJECT IDENTIFICATION NUMBERS (PIN) 3902.15, 3902.16, AND 3902.17 (K006848) - ITHACA TOMPKINS REGIONAL AIRPORT

It was MOVED by Ms. Kiefer, seconded by Mr. Proto, and unanimously adopted by voice vote by members present. RESOLUTION ADOPTED.

WHEREAS, the County has received a grant offer from the New York State Department of Transportation (NYSDOT) in the amount of \$31,794.00 being fifty percent (50.0%) of the non-Federal share for the following projects:

- Purchase Snow Removal Equipment (24 ft. Snow Plow)
- Perform (Green) Airport Master Plan Update
- Perform On-Airport Obstruction Removal (Approx. 14 Acres +/-); Purchase Snow Removal Equipment (Multi-Purpose Vehicle-Snowplow/Blower/Loader); Perform Engineering Design for a Sand Storage Building; Purchase De-Icing Equipment

, and

WHEREAS, said grant may be increased by up to fifteen percent (15.0%) to \$36,563.10 in the event of there being increases in eligible costs, and

WHEREAS, the County has already accepted Federal Administration Aviation (FAA) grants that cover ninety-five percent (95.0%) of the above-named equipment and projects' costs, and

WHEREAS, the equivalent local share of \$31,794.00 has been factored into the 2010 airport budget and will be paid for through airlines fees, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the NYSDOT Supplemental Grant Agreement (No. 2 - Schedules A-4, A-5 & A-6) be and hereby is accepted and that the County Administrator is authorized to execute the required documents.

SEQR ACTION: TYPE II-2

Report from the Capital Plan Review Committee

Ms. Robertson, Chair, said the Committee will meet on April 8th. She said Committee members received a copy of the 2005 Space Use Master Plan for review. In response to a question from Ms. Herrera, she noted the County's Office Space Standards policy that outlines preferred size of work areas is available online in the Administrative Manual.

Report from the Government Operations Committee

Mr. Lane, Chair, said the Committee met on March 18th and heard about the Google broadband request. He reported the County was contacted by the Perry City Quakers who questioned their real property assessment for the year 2007. As a result of the inquiry and subsequent review, the assessment roll is being corrected to reflect the error and the property owners will be receiving a refund. Although it is a small amount, he is pleased to see the County take responsibility. The Committee had discussions regarding the Health Care Consortium resolution that was withdrawn. The Committee is aware of the question of union representation on the Consortium but would like to move the process forward. He said at future meetings discussions will include the broadband initiative, long-term planning, and committee goals.

Ms. Herrera said the leadership of the local CSEA union has been more than cooperative in finding a way to save money and maintain the level of health care benefits. She believes the State Insurance Department needs to help clarify the concerns.

Ms. Kiefer announced that Legislators would be receiving information from the Solid Waste Division on their upcoming meetings relating to the facility upgrades.

Minutes of March 16, 2010

It as MOVED by Mr. Burbank, seconded by Ms. Chock, and unanimously adopted by voice vote by members present, to approve the minutes of March 16, 2010, as presented.

Recess

Ms. Robertson declared a recess from 8:53 p.m. The meeting reconvened at 9:00 p.m.

Executive Session

It was MOVED by Ms. Pryor, seconded by Mr. Robison, and unanimously adopted by voice vote by members present, to enter into an executive session to discuss litigation. An executive session was held at 9:00 p.m. and returned to open session at 9:18 p.m.

Adjournment

On motion the meeting adjourned at 9:18 p.m.

Respectfully submitted by Karen Fuller, TC Legislature Office